

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CAROL BAKER, individually, and as  
Personal Representative of the Estate  
of Robert Baker Sr., Deceased;

Plaintiff,

vs.

BIG OX ENERGY, LLC, and BIG OX  
ENERGY-SIOUXLAND, LLC,

Defendants.

8:18-CV-493

MEMORANDUM AND ORDER

This matter is before the Court on the Magistrate Judge's Findings and Recommendation ([filing 17](#)), recommending that the Court deny the plaintiff's motion to remand ([filing 12](#)). There has been no objection. See 28 U.S.C. § 636(b)(1); [NECivR 72.2](#). When a party fails to timely object to the report and recommendation of a magistrate judge, the party waives its right to de novo review by the district court of any portion of the report and recommendation. *United States v. Wise*, 588 F.3d 531, 537 n.5 (8th Cir. 2009).

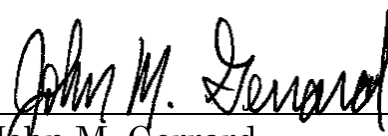
The Court finds that the Magistrate Judge's recommendation should be adopted. Accordingly,

IT IS ORDERED:

1. The Magistrate Judge's Findings and Recommendation ([filing 17](#)) are adopted.
2. The plaintiff's motion to remand ([filing 12](#)) is denied.

Dated this 23rd day of January, 2019.

BY THE COURT:

  
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John M. Gerrard  
Chief United States District Judge